

Sixth Appellate District

San Jose, California

TUESDAY, JANUARY 16, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Nancy M. Olea, Deputy Clerk.

H020434 PEOPLE v. JUAN V.

Cause called and argued by Carol Bassoni appearing for Appellant and by Laurence K. Sullivan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020579 PEOPLE v. SANCHEZ

Cause called and argued by Walter K. Pyle appearing for Appellant and by C. McBrien, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H030524 PEOPLE v. CHUBBUCK

Cause called and argued by Joseph Courtney Shevelson appearing for Appellant and by Gerald Engler, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019578 GOLDBERG v. GOLDBERG

Cause called and argued by Dian L. Rodriguez appearing for Appellant and by Paige Leslie Wickland appearing for Respondent. Cause ordered submitted.

H018009 AVANT! CORPORATION v. SILVACO & HALEY

Cause called and argued by James W. Colbert III appearing for Appellants Avant! Corporation & Hailey and by Chris Scott Graham appearing for cross-complainants and respondents Silvaco, et al. Cause ordered submitted. Court recesses until 1:30 p.m.

Sixth Appellate District

San Jose, California

Tuesday, January 16, 2001 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and W. Magsaysay, Deputy Clerk.

H020088 PEOPLE v. PENNELLA

Cause called and argued by Tamara Holland appearing for Appellant and by Christina V. Kuo, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019159 PEOPLE v. TRAN, et al.

Cause called and argued by Michael Satris appearing for Appellant Subana, by Philip Brooks appearing for Appellant Tran, by Eric Multhaup appearing for Appellant Duong and by George Hindall, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020598 PEOPLE v. HERNANDEZ

Cause called and argued by Alan Siraco appearing for Appellant and by Allan Yannow, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Court adjourns.

H019811 PEOPLE v. DOMINGUEZ

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed January 16, 2001

H021323 IN RE BIANCA D., A MINOR

The juvenile court's order terminating parental rights is affirmed. (not published)  
(Mihara, J.; We concur: Cottle, P.J., Elia, J.)  
Filed January 16, 2001

In The Court Of Appeal Of The State Of California 10  
Sixth Appellate District  
San Jose, California

Tuesday, January 16, 2001 (continued)

H019885 PEOPLE v. TURNER, et al.

By the Court\*:

Appellant Long's petition for rehearing is denied.  
Appellant Long's motion for leave to treat a portion of the  
petition for rehearing as a supplemental brief is denied.

Filed: January 16, 2001

\*Before Premo, Acting P.J., Bamattre-Manoukian, J. and  
Wunderlich, J.

H019958 PEOPLE v. HSIEH

By the Court:

The written opinion which was filed on January 16, 2001 is  
certified for publication.

(Wunderlich, J.; Premo, Acting P.J., Bamattre-Manoukian, J.)

The written opinion which was filed on January 16, 2001 has  
now been certified for publication pursuant to rule 976(b) of the  
California Rules of Court, and it is therefore ordered that it be  
published in the Official Reports.

Dated: January 16, 2001

Premo, Acting P.J.

H020250 DOW v. DEPARTMENT OF MOTOR VEHICLES

The order granting the writ of mandate is affirmed. Each  
party to bear its own costs on appeal. (not published)

(Elia, J.; We concur: Cottle, P.J., Mihara, J.)

Filed January 16, 2001

WEDNESDAY, JANUARY 17, 2001

The Court met in its courtroom at 333 West Santa Clara  
Street, Suite 1060, San Jose, California. Present: Cottle, P.J.;  
Elia, J.; Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H020382 BURAN & REED, INC. v. McCLUNG

Cause called and argued by Gene Cain appearing for Appellant  
and by Ernest Miller appearing for Respondent. Cause ordered  
submitted.

In The Court Of Appeal Of The State Of California 11  
Sixth Appellate District  
San Jose, California

Wednesday, January 17, 2001 (continued)

H019493 PEOPLE v. NGUYEN

Cause called and argued by Susan Stackhouse appearing for Appellant and by Ross C. Moody, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H018964 PEOPLE v. GREEN, et al.

Cause called and argued by Timothy Foley appearing for Appellant Green, by James Haworth appearing for Appellant Wagner and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021181 SANTA CRUZ CO. HUMAN RESOURCES AGENCY v. FIDENCIO C., et al.

Cause called and argued by Maureen Keaney appearing for Appellant Fidencio C., by Sheri Cohen appearing for Appellant Stephanie B., by Tamyra Rice, Deputy County Counsel, appearing for Respondent, and by Allison Brumbach appearing for minor. Cause ordered submitted.

H020719 SUNNYVALE TOWN CENTER ASSOCIATES v. STRIDE RITE CHILDREN'S GROUP, INC.

Cause called and argued by Michael Khouri appearing for Appellant and by Ernie Park appearing for Respondent. Cause ordered submitted.

H020711 SHAW, et al. v. COUNTY OF SANTA CLARA

Cause called and argued by Douglas Maloney appearing for Appellants and by Marcy Berkman, Deputy County Counsel, appearing for Respondent. Cause ordered submitted. Court is adjourned.

H022160 BEATRIZ M. v. SUPERIOR COURT; HUMAN RESOURCES AGENCY OF SANTA CRUZ COUNTY

The petition for extraordinary writ is denied. (not published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)

Filed January 17, 2001

In The Court Of Appeal Of The State Of California 12  
Sixth Appellate District  
San Jose, California

Wednesday, January 17, 2001 (continued)

H020701 PEOPLE v. SERGIO G., A Minor

This matter is remanded to the juvenile court. Upon remand the court shall declare whether defendant's offense constituted a felony or a misdemeanor. If the court declares the offense to be a misdemeanor, it shall recalculate the maximum period of confinement accordingly. (not published)  
(Cottle, P.J.; We concur: Elia, J., Mihara, J.)  
Filed January 17, 2001

THURSDAY, JANUARY 18, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Judy Son, Deputy Clerk.

H020276 PEOPLE v. WENDEMAGENGHEU

Cause called and argued by David Carico appearing for Appellant and by Gregory A. Ott, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020327 GONZALEZ v. DEPT. OF MOTOR VEHICLES

Cause called and argued by Miguel A. Neri, Deputy Attorney General, appearing for Appellant and by J.J. Hamlyn III, appearing for Respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and S. Nasson, Deputy Clerk.

H018930 SOUTH BAY BRONZE, INC. v. ADVANCE ALUMINUM AND BRASS  
SALES

Cause called. Fernando Hernandez appeared for Appellant and Lisa Pan appeared for Respondents. Counsel waived oral argument. Cause ordered submitted.

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San Jose, California

Thursday, January 18, 2001 (continued)

H019255 MOU v. ACER INCORPORATED, et al

Cause called and argued by Joshua Tropper appearing for Appellant and by William Gallagher appearing for Respondents. Cause ordered submitted.

H020900 SAVE OUR PENINSULA COMMITTEE, et al. v. MONTEREY CO.  
BOARD OF SUPERVISORS, et al.; SEPTEMBER RANCH PARTNERS  
H020933 SIERRA CLUB, et al. v. CO. OF MONTEREY, et al.;  
SEPTEMBER RANCH PARTNERS

Causes called and argued by Stephen Kostka appearing for Appellants and by Michael Stamp appearing for Respondents Sierra Club, et al., and by Alexander Henson appearing for Respondents Save Our Peninsula, et al. Causes ordered submitted. Court is adjourned.

FRIDAY, JANUARY 19, 2001

H020119 PEOPLE v. PERALES

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J.,  
Wunderlich, J.)  
Filed January 19, 2001

H019695 PEOPLE v. SOLORIO

The judgment is ordered modified (1) to strike the gang enhancement for the torture conviction; (2) to reflect that the defendant is not eligible for parole for a minimum period of 15 years pursuant to section 186.22, subdivision (b)(4); and (3) to stay execution of the sentences on count 2 for the robbery of Mr. Sadorra. The clerk of the superior court is directed to correct the abstract of judgment accordingly and to further correct the restitution order to reflect restitution to Mr. Sadorra in the amount of \$3,273.00 and to Gonzales in the amount of \$1,944.00. As amended, the judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)  
Filed January 19, 2001

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San Jose, California

Friday, January 19, 2001 (continued)

H020590 PEOPLE v. CARMONA

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Bamattre-  
Manoukian, J.)  
Filed January 19, 2001

H021315 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Cottle, P.J., Elia, J.)  
Filed January 19, 2001

H020639 ROBINSON v. C. A. TERHUNE, et al.

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Cottle, P.J., Elia, J.)  
Filed January 19, 2001

H019999 PEJCHA, et al. v. TRUCK INSURANCE EXCHANGE, et al.

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed January 19, 2001